

**UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: : **Chapter 13**
: **Tatyana Mazik** : **Bankruptcy No. 18-10643-elf**
: **Debtor** : **Hearing Date & Time: 1/8/19 at 1:00 p.m.**

**OBJECTION OF U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF
CHALET SERIES III TRUST TO AMENDED CHAPTER 13 PLAN
FILED NOVEMBER 15, 2018**

AND NOW comes U.S. Bank Trust National Association as Trustee of Chalet Series III Trust, by and through its servicing agent, SN Servicing Corporation (the "Movant"), by and through their counsel, Tucker Arensberg, P.C., and files this Objection to the Debtor's Amended Chapter 13 Plan filed November 15, 2018, stating as follows:

1. On January 31, 2018 (the "Petition Date"), the Debtor filed her voluntary petition for relief under chapter 13 of title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (as amended, the "Bankruptcy Code") at case no. 18-10643-elf (the "Case").

2. On November 15, 2018, Debtor filed her Chapter Amended 13 Plan [Doc. 71].

3. Prior to the Petition Date, the Debtor became obligated to Chase Manhattan Mortgage Corporation pursuant to a Note dated March 27, 2003, in the amount of \$322,700.00 (the "Note"). A true and correct copy of the Note is attached as Exhibit "A".

4. As security for repayment of said obligation, Debtor executed a Mortgage in favor of Chase Manhattan Mortgage Corporation, with respect to certain real property owned by Debtor and located at 1269 Waller Drive, Huntingdon Valley, PA 19006 (the "Mortgaged Premises") and recorded in the Montgomery County Recorder of Deeds on April 15, 2003, at Book No. 10300, Page 1413 (the "Mortgage"). A true and correct copy of the Mortgage is attached as Exhibit "B."

5. The Mortgage and Note were assigned once, as follows:

The Mortgage and Note were assigned from JPMorgan Chase Bank, N.A., successor by merger to Chase Manhattan Mortgage Corporation, its successors and assigns to MTGLQ Investors, L.P., as evidenced by that certain Assignment of Mortgage dated January 26, 2016, and recorded with the Recorder of Deeds at Book No. 14104, Page 02316.

6. On April 17, 2018, MTGLQ Investors, L.P. filed its proof of claim at Claim 4-1 as a secured claim in the amount of \$607,073.98 (the "Claim"), indicating \$367,017.97 necessary to cure the default as of the Petition Date.

7. On December 17, 2018, MTGLQ Investors, LP filed its Transfer of Claim at Doc. No. 81, transferring its claim in the Case to U.S. Bank Trust National Association as Trustee of Chalet Series III Trust.

9. In the Schedules, the Debtor values the Mortgaged Premises at \$450,000.00.

10. Debtor's Amended Chapter 13 plan filed November 15, 2018, does not provide for any cure of the pre-petition arrears, nor does it provide for Movant's claim at all.

11. Movant objects to the Debtor's Amended Chapter 13 Plan filed November 15, 2018, as it does not provide for any of the account arrears through the Plan, and does not include an amount for regular contract payments on the Mortgage.

WHEREFORE, U.S. Bank Trust National Association as Trustee of Chalet Series III Trust requests this Honorable Court to deny confirmation of the Debtor's Amended Chapter 13 Plan filed November 15, 2018.

Respectfully submitted,

TUCKER ARENSBERG, P.C.

By: /s/ Jillian Nolan Snider

Jillian Nolan Snider, Esquire

Attorney for U.S. Bank Trust National

Association as Trustee of Chalet Series III

Trust

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